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Grave Obstacles to Hawaiian Annexation.

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A short time ago the country was excited by the announcement that the royal government in the Hawaiian Islands had been overthrown by a revolution; that a provisional government had been set up; that that government had at once been acknowledged by the American Minister, who would appear to have given it important moral support by causing marines to be landed from an American warship on an assumption that they were needed for protecting the lives and property of American citizens, and that the provisional government had appointed a commission to proceed at once to Washington and tender the annexation of the

A peaceful state of things had existed for a long time in the Hawaiian Islands. The people there indeed were peaceful in their characteristics. They were people that in a measure had been trained by ourselves. Some of our citizens had taken satisfaction in calling the attention of the world to the condition of these islands as a gratifying illustration of the great success and usefulness of the missionary efforts put forth from the United States for the conversion of the world. American missionaries had been pioneers race of cannibals who were found native on these islands to the Christian faith. large extent, the adoption of the customs of civilized life. It was the most striking illustration perhaps in the history of the world, of a people being brought almost immediately out of savagery by the teaching of the doctrines of Christ, and elevated to a condition in which it would countries; they welcomed immigration especially from the United States, and many enterprising people settled among them and found opportunities in the cul-tivation of their lands, in the raising of tropical fruits, and especially in the production of sugar, for the acquisition of 'great wealth. People came from other countries also,—from China and Japan large numbers who have settled there with the expectation of making it their permanent home. The government of the country has been monarchical but seems to have been satisfactory to the natives, who had been given some participation in it, and it was the proposed withdrawal by the reigning monarch of popular participation in the government that was supposed to have furnished ground for the revolution which the pro-

the fact that no attempt whatever seems to have been made to ascertain the

A provisional government is supposed to be a government de facto for the time being; a government that in some emergency is set up to preserve order: to continue the relations of the people it acts for with foreign nations until there shall be time and opportunity for the creation of a permanent government. It is not in general supposed to have authority beyond that of a mere temporary nature resulting from some great necessity, and its authority is limited to the necessity. When therefore a commission starts out immediately upon the creation of Provisional Government, to offer its country as a gift to a foreign na-tion, the very title of the government seems to negative its authority It is offering to give away what it merely for the time being is authorized to preserve and protect, and the first feeling

that there must be something here to put the nation to which the offer is made upon its guard against having such dealings with the commission as shall be of a nature to imply recognition of its legiti-

But in this case it is said the Provisthat its power we are to understand is limited. How it got authority for this purpose and how the limitation was fixed desire of the people in the premises was not expressed, nor was it called for. The facts as they are presented to us appear to be, that persons of foreign birth resident in the islands took possession of the government, and immediately started to make a tender of the islands to a foreign nation. Their acts in organizing them-selves into a Provisional Government would indicate to the natives, until they were explained by further acts or by pub-lic announcements, nothing more than that they were resisting and overturning the native government because of its retrogressive course, and the legitimate and natural inference would be that their powers would be laid aside when a permanent government on the proper basis should be organized by general action of

The Provisional Government avers with some positiveness that its action in transfer the islands to the United States is in conformity to the will of the majority of the people; but if such is the fact it seems a great error in policy that it took no steps to ascertain that will so that the grounds for its confidence might be made known to the American people. The great has e in making the offer suggests a doubt whether the confidence in the claim is as complete as is professed. The United States Minister either voluntarily or at the suggestion of the Provisional Governut without the slightest authority. declared a protectorate of the islands by the United States, but what it was in-Provisional Government assumed to represent, is not apparent. No foreign sessing peculiar attractions; as having a be, it is sufficient for our present purnation was interfering or was showing special value to our country; but when

any desire to interfere. President Harrison immediately disowned the protectorate when it became known, but the Min-ister, still without authority, floated the national flag of the United States above the government building at Honolulu, and the Provisional Government thereby still continued to have the moral support which had assisted in its establishment at first. When the removal of the flag was ordered, it seemed to be necessary for the Provisional Government to make careful provisions for putting down by force any expression of opposition to its action on the part of those who did not favor it.

This distant country, then, seems to be offered to the United States by what is at most a pro tempore government, which, in formation was startling for several rea-sons. making the offer, does not present the evidences that proves it to have the support of the majority of the people. The number supporting the offer may or may not be a majority: we do not know. The foreigners settled in the islands with the privileges of citizenship are few in number as compared with the native population, who were not consulted, but it is foreigners who effected the revolution; and even they, as we now learn, are not unanimous in desiring the transfer.

A strong effort was made to accomplish the annexation before the people of the islands could even be heard upon the in the work that had in a very short time subject, and it seemed to have been taken converted the whole of the barbarous for granted by a large portion of our people that there was something unpatriotic on these islands to the Christian faith, in raising any question of propriety or and brought them from savagery to the justice in declaring the immediate annextaking up of peaceful occupations and ation which the commission offered; as if the cultivation of the arts and, to a patriotism could justify a public wrong to a friendly people.

The islands were very rich, it was said. We wanted them for a naval station. We needed them in the event of a war with Great Britain or with any other of the great naval powers of the world; if we did not take them Great Britain would, be proper to recognize them as a member of the family of civilized nations. Friendly relations were shortly established to any terms that should be demanded, lished with them by leading commercial | and there was importance in immediate action before there could be opportunity for thwarting the proposed measure in the interests of some foreign nation. It was a case for the application of the maxim, "In time of peace prepare for war." for it was precisely in the event of war that these islands were to be of special value

Now how far the United States should moved by an appeal to this maxim. "In time of peace prepare for war," is a question to which patriots as well as philanthropists are likely hereafter to give some attention. It is a maxim that comes to us from barbarous times, and at the present time is being made use of in such manner as to grind the people of leading states of Europe into the dust. Immense armies and immense navies are created as the necessary preparation for war, and visional government professed to have completely effected.

The first thing specially noticeable in this offer of the islands to our country is springing up with some foreign nation. Their very existence is a menace to the peace of the world; the more powerful wishes of the native population upon the are the armies and navies of leading effect to their will by receiving the pro- mont might gradually and impore aptibly subject, or any one else, except those who nations, the greater the liability to participated in the revolution. It is destructive conflicts. The United States elements into a Union never framed to dents conditioning what at the time were what those composing it designate a provisional government that comes to make us the offer.

is now sufficiently strong to expect that its rights will be regarded and its interests respected by other nations without this crushing expenditure for possible wars, and its people may well question whether the true rendering of the maxim is not. "In time of peace prepare against war," and whether this does not demand the establishing of such relations with foreign countries and making such provision for the sattlement of disputes peacefully as will reduce the danger of war to a minimum. And then in the case of these islands they may well inquire further whether, situated as they are, two thousand miles away, they will not in our hands constitute an element of weakness rather than of strength in case of a war with Great Britain, or any other great naval power, unless we proceed at once to create a navy as great as that which could at the beginning of a war be hurled by our antagonist against them.

Questions like these are raised. But they are questions of policy, and as such will be left for others to discuss. What we are concerned with now are the questions whether the Provisional Government is shown to possess delegated power to propose and whether the United But in this case it is said the Provisional Government was formed only for the annexation of these islands. We the purpose of bringing about the annex-ation; that annexation is its mission; so nexation of the islands to the United States; the addition of a smaller to a greater, as it in fact would be; but question of power involved is preto that authority are not explained. The cisely the same that it would be if it were desire of the people in the premises was proposed to annex any other independent country in the world to the United States; Russia, for instance, or France.

The government of Hawaii is that of an independent country, recognized as a member of the family of nations, and, in point of international law, the equal of any other nation. If we annex it, it will because an independent nation consents to be annexed. It may be on terms that will assume the existence of a certain inferiority, but these will be created by the treaty of annexation itself. The treaty will be the law that will govern thereafter. Apparently it is expected that these islands will be taken in as an outlying colony of the United States,not as a territory of the sort we now possess and govern,-and not, so far as we are notified, with any expectation that they are to be by and by accepted as one of the states of the American Union. Government as a colony is what it is said those proposing the annexation would

Now outlying colonies are not within the contemplation of the Constitution of the United States at all. The structure of things it would scarcely be expected of government created under it never that any should be expressed, because this power is one the exercise of which ple of the United States would never may be called for under any imaginable have consented to provide for our holding them. Our government is not suited to that purpose. The proposal that we should vie with England and France and Germany in establishing colonies in dis-tant quarters of the globe would now be the United States, but what it was in-tended to protect them against unless it was the people themselves whom the Provisional Congress as being altogether foreign to our institutions. We are asked to accept this proposed transfer as something pos-

we take it we must understand that we establish a precedent, the leading of which it will be impossible to foresee. What we can see clearly is that it will be a precedent to justify the acquiring of outside colonies hereafter in any part of the world. We must further understand that if what is proposed can be destroyed. the world. We must further understand that if what is proposed can be done un-der the treaty-making power, then pecu-liar provisions can be inserted in treaties of annexation, the nature of which and the extent to which they will modify our existing institutions, will depend upon the prudence and wisdom of these who act for us in making the treaties. In the case of annexation of independent countries, the differences between them are likely to require assent to terms that to some extent at least, will be in the nature of compromise. Each country must yield something; and any yielding is likely to have some bearing on established institutions,—a bearing perhaps seeming to be immaterial at the time, but which nevertheless may stand as a justification for something more important at some other

In the proposed treaty in this instance, In the proposed treaty in this instance, it is understood, was a special provision in regard to the large Chinese colony, which was to preclude its members passing from the islands into other parts of the United States. Assuming this provision to be valid and effectual, would not the treaty, as to any persons of Chin-ess descent who are born in the islands and who might therefore be citizens, be laying down a rule repugnant to the pro-vision of the constitution which undertakes to make the rights of citizens the same everywhere? And if so would the treaty be nevertheless valid even in this

Should an offer by and by be made of

the annexation of Spain to the United States by some provisional government set up there for the sole and only purpose of such annexation, perhaps we might be required to assent by way of compromise to some provision which would save to the Spaniards some of their existing institutions repugnant to our own as a condition to the union. and the treaty being the supreme law of the land, our country would be expected to observe that condition permanently. This may seem an absurd suggestion, but when we enter upon the business of annexation, we have no right to expect that independent nations are to come and offer themselves to us with the free abandonin int at the same time of all the special peculiarities in their institutions. some of them perhaps the inheritance of

This proposed treaty is not only one that will constitute a precedent for uniting ourselves to any country on the globe, but it is one that will justify our annexing other countries regardles of the differences of race and of the discordant elements that might be brought into the union by the act. The people to be brought in in this case are for the most part people of colored races with habits and ideas very different from our own, and a very considerable portion of them belong to a race which we are endeavoring at this time, with but little regard to justice or to treaty obligations, to exclude as fir as possible from our country. The commissioners who come here understand very well our repugnance to have them among us, and it is for this reason that they are ready to make a special provision for contining them to the islands, though the very act of doing so will raise a serious question

of constitutional right. It is perfectly manifest that unless we are to treat the American and English settlers upon the islands as persons entitled to establish for themselves institutions at will, regardless of the wishes of the remainder of the people, we cannot the government of a Union of harmonious and contiguous states of the North established, in whatever quarter of the globs we may find them. The President and the Senate may pass upon the ques-tion of such extension finally and bind tion of such extension finally and the country for all time, though the motives to this action mry be of a temporary nature, and possibly even partisan.

It is no light thing to propose an action of the government which can stand as a preced int for such an applicaantagonizes no express provision of that instrument. The Constitution was made common family and on an equal footing for the government of the United States of America, and not of countries in There is no in different parts of the world. It was not made and shaped for the establishment tory would be held by them which would require government under the authority of Congress, but only while in that conadmission with complete powers into the unity of states then composing the Union; and that family of states was expected always to be one American country, held by one people, with institunature of friendly intercourse between independent countries.

The authority to enter into treaties would make of the nation the ruler of with foreign nations is conferred by the outlying states or colonies or territory Constitution of the United States in a not acquired with any expectation of bavery few and entirely general words. There is little more than a specification There is little more than a specimean of those who are to exercise it: "The President with the advice and consent of ing together one common country, would be as much by implication for seem to be as much by implication for the country would be anything that directly concur": and then there is in an-other clause a provision that "this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be

the supreme law of the land."

It is to be observed here that no limitations whatever are made in terms to the treaty-making power. In the nature may be called for under any imaginable circumstances, and it is always conceivable that a nation may be forced by external compulsion to assent by means of it to what it has found impossible to resist. We have reason to believe that the time has now gone by, so far as our country is concerned, when it will be possible for overwhelming force to compel submission by the United States to foreign dictation: but however that may

we take it we must understand that we establish a precedent, the leading of which it will be impossible to foresee. sion to anything not contemplated in the ordinary exercise of the treaty-making power, the case will then be determined by the necessity.

In considering the extent of the power.

we may assume as unquestionable that it exists in the United States as fully and exists in the United States as fully and completely as it exists in any other independent nation. No portion of it if retained by the States, and it is not contemplated that they shall severally deal with foreign countries in diplomatic intercourse. But though no limitations are laid upon the power in the national constitution, some exist in the very nature of things, which the treaty making ture of things which the treaty-making power must be expected under all cir-cumstances to respect and observe. We say this having in mind only what we suppose to be a general rule applicable whenever the extent of the treaty-making authority of any country comes in ques tion; all the conditions under which it has come into existence are to be con-sidered; the racial and other peculiarities of the people; what the country is and its situation, the nature of establish. ed institutions, and so on, for all these are in mind when the authority is er ated, and in some sense are of its substance whatever may be the words under which

it is expressed. The constitution of a mountain repub-In constitution of a mountain republic and that of a scafaring people might possibly be expressed in the same words, and yet the statesman and the jurist see plainly in one not only implied grants of power but implied limitations upon the exercise of delegated authority not discoverable in the other. coverable in the other, because so naturally springing from the conditions under which the instruments respectively were established that written expression was never thought of. Then the treaty-making power, whatever be the nature of the government, if to be exercised by any subordinate of the sovereign and not by he overeign directly, must not set aside

or disregard any authoritative expression of the sovereign will, and it must not do acts or enter into negotiations that tend to undermine or overturn any existing institution of the country or to change in any particular the established government. This is only repeating in a different form of words that it must not disregard the will of the sovereign power however expressed. And applying this specially to our own country, the treatymaking power must do nothing incon-sistent with any provision of the constitution whether as it concerns the general form of government, the perpetuity of the Union, or the protection of the rights either of states or of individuals. It would be very clear, we suppose, that by no exercise of the treaty-making power could the President and Sanate laprive one state of its equal representation with others in the senate, or its citi-zens of their equal privileges with citi-zens of other states, or take away the constitutional right of trial by jury from any class of the people, or put in force what would be equivalent to expect facto legislation, or establish privileged classes either in existing states or in any new territory that should be brought within the Union.

When a treaty is said to be the supreme law, it is nevertheless to be understood that the Constitution, which is the highest expression of sovereign will and the authoritative representative of sovereign power in the nation, in fixing limitation upon the exercise of authority under it in regard to the subjects above indicated and many others, restrains the treatymaking power quite as much as any other. If it did not, and any treaty enother. If it did not, and any trarty en-tered into in due form was in itself necessarily supreme law, a state might possifor a moment sanction what is proposed; bly by the force of it be set of from the but if we make the recognition and give Union to another nation, or the governreceive them, and we are justifying an perhaps not seen to be encrosedments, extension of the constitution formed for But as already said we are to take into account also the country for which the American continent, so as to bring under and other characteristics: a country made Constitution was formed, in its physical its rule as a part of that Union countries up of states lying contiguously, popuinhabited by races radically different in lated almost exclusively by one European physical and also in mental characteristics race, and possessing certain territory, to those by and for whom the Union was established, in whatever quarter of the established, in whatever quarter of the which the Constitution provided for was to have power to dispose of and make all needful rules and regulations. The meaning of this term had already been indicated by common action to be that the Congress might from time to tim provide government for such portions of the territory as seemed to have a populastand as a precedent for such an applica-tion of the treaty-making power, and to undertake its justification under the Constitution on the ground that it

There is no indication in the Constitution itself or in any of the actions or dismade and shaped for the establishment of any colonial system. It was expected by its founders that there would be extension of the United States; that territors would be able to the states of the condition of the United States; that territors would be able to the states of the condition of the made up of people mainly of one race, with territory held in common by them to be governed under Congressional dition of immaturity which would authority while on its way through in-naturally precede a state of fitness for creasing population to the formation of other such states, and to admission to the Union on an equal footing with the origi nal states when the proper maturity had been reached. This was the general plan of the Union, and all the terms of the tions harmonious throughout, and as free as possible from all alliances with nations abroad except such as should be in the treaty-making power that if carried into effect would change this condition of things; and especially anything that ing brought into the Union or not capabidden as would be anything that directly "this antagonized provisions of the Constitu-

It may be well here to direct attention briefly to the cases in which the treatymaking power has heretofore been exercised in the extension of the national limits, that it may be seen whether any one of them antagonizes the general ideas above expressed, and whether we are confronted with precedents that can be looked upon as giving countenance to the idea that the treaty-making power is subject to no limitations whatever. It is particularly for their bearing as preedent that we give them importance in this connection, for a bad precedent is al-ways an excuse for another when popular clamor appears to demand it or when party may seem to have anything to gain

The acquisition of Louisiana was made memorable in a constitutional point of view by the fact that the President who managed the negotiation and brought it to a successful conclusion did not believe

extent of territory which was already becoming important in order to provide for the emigration going on from the existing states into the interior. It would rid us of an undesirable neighbor at the West. It would give us the Mississippi as a highway for the highway for the commerce of the interior with the outer world. It would secure its outlet as the entrepot of the trade of the world with our Western people; and it would solitons western people; and it would relieve us forever from the danger that by and by the inhabitants of the western territories would sever their connection with the Union and unite in forming a great republic upon the rivers which would constitute their chief international highways.

This was the prize to be attained; but the Constitution, in his view, had made

"no provision for our holding foreign territory and still less for incorporating for-eign nations into our union." Under the circumstances he thought the emergency should be met by first making the purchase and then appealing to the nation for an additional article in the Constitution, approving and emfirming an act which the nation belienet previously authorized." He would have had this done as quietly as possible, avoiding public discussion, but "shutting up the Cartificians." the Constitution for some time" until the purchase was made. The Federal politicians of the day took what advantage they might of his securics and mid-all the opposition they could; but statesmen like Humilton and Gouverneur Morris refused to make this a more partisan question, and while they made light of Mr. Jefferson's scruples, did all they could to favor the purchase. That it was an act of the highest wisdom, no one at this and there complete the negotiations day has the slightest doubt, and we think under the joint resolution, and in this We may fairly assume that Mr. Jefferson, after it had one; been accomplished, falt but lightly the scruples he had felt at the outest, for when he found that his party did not share in them, he ceased to insist upon the necessity for amendment to the

Every foot of the territory acquired in the Louisiana purchase was not only needed to provide for the natural and inevitable expansion of the settlement then going on in the territory of the United States, but it also fitted perfectly into the American system; and the purchase brought nothing of a discordant nature into the existing Union. The domain purchased would be formed into territorial with the state of the st tories with suitable governments as the needs of its growing population should require, and those territories would in time become states. There was at the mouth of the Mississippi a considerable settlement of people of another race from those who had colonized the existing states, but they were European, and there was no question that in time they would become as American citizens, an element by no means incongruous or un-desirable. There is no ground what-ever for question that, had the condition of things which confron ed Mr. JeTerson at the time of the Louisiana purchase been foreseen when the Consti-tution was formed the wisdom of leaving it to be dealt with by the government as it was in fact dealt with would have been

doubted by no one.

What has been said regarding the acquisition of Louisiana is equally applicable to the treaty for the annexation of Florida. Here again was a case of territory bordsring upon that of the Union, in the hands of a foreign nation, but needed to provide for the gradual expansion of the population of the Union, and certain in time to become the pro-party of the Union either peaceably or by the lawless action of these who would eavet it and who would seem to the pla of the United States to be its natual and proper proprietors. It was purchased for incorporation into the Union in the regular and ordinary way, and the opportunity was also taken advantage of to extinguish claims on the Pacific coast which were likely in time to become troublesome. Everything that was done in these two cases tended to perfect the work of the founders of our institutions instead of bringing in any element of dis ord or incongruity.

The case of Taxas in its main characteristics differed radically from those of Louisiana and Florida. Texas had been part of Mexico but had declared its in-Dependence and was endeavoring to muintain it by force of arms. The Unit of States had recognized its indeound mer and its title to a place in the family of nations. Maxico, however, was ing. When the legislatures act directly still asserting dominion over it and a with each other their action is likely to state of quero were existed. In the claim meet all the necessities of the case, and it made to territory Texas had embraced under a grant of power so unlimited as is much over which it had never enforced made to Congress by the Federal Constiits authority, so that the war to establish its claims would not be altogether a war of interest lines but in part also a war of conquest. While this was the condition of things, overtures were made for annexation to the United States, and Mr. Tyler, who was then President, with Mr. Calhoun for his Secretary of State, was exceedingly anxious that the offer of annexation should be accepted, and enterel at one into negotiations to that end. The proposed annexation was popular in the United States, though bitterly opposed by a strong party at the north be in the interest of slavery and having for its main purpose to aid in strengthening and perpetuating that institution. There were also many who opposed it as unjust to Mexico, and who said with entire justice that annexation would be equivalent o the making of war upon that country. for if Texas was annexed, it must be taken with the boundaries claimed by it. and those boundaries must be defended.

The treaty of annexation was readily made, and was submitted by the President to the Senate accompanied by a message in which it was assumed that by the more entoring into the treaty on his part, it had devolved upon him to see that the territory by which was under-stood not merely that which Texas had subjected to its dominion, but all that it claimed —was to be protected in the interest of the United States; and he sent troops forward for this purpose. The forwarding of the troops tended of course to strengthen the cause of Texas as against Mexico, and under the circumstances could only oe considered as an unfriendly act toward that power. The S mate, however, when the treaty was brought to a vote, refused to ratify it by a vote of nearly two to one. The motives to this action on the part of different Senators were not in all cases the same. Opposition to slavery had influenced some, but the obvious injustice to Mexico and the patent fact that by annexing Texas we should take up at once a quarrel with that country, which in part at least would be founded in injustice, had been effectual with some others.

Immediately on the treaty being rejected, Mr. Tyler sent a communication to Congress upon the subject in which it was suggested that Congress take up the matter now and either by law or by joint resolution make provision of its own for

tution for making the purchase. Mr. Jefferson saw very clearly the vast importance of what he undertook to do. It would add to the United States a great the lower house at once, but when it was sent to the Senate, there was hesitation about concurrence. There seems to be about concurrence. There seems to be no question that a majority of the Senate, perhaps two thirds of the whole number, were in favor of annexing Texas to the United States if it could be done honorably and without taking a war upon the hands of our own people; a war which would obviously be unjust to a country with which at the time we had no quarrel.

while the matter was pending in the Senate, there was added to the joint resolution, with the approval of Mr. Berton, who had opposed the treaty, a provision for the opening anew of negotiations upon the subject, the purpose being to nego-tiate not merely with Texas but with Mexico as well, in order that the annex-ation, if accomplished at all, might be brought about with the good-will of the other country concerned. The resolution as thus amended was passed by the Senate and went back to the House for

As adopted, the joint resolution left it with the President to accept either one or the other of the two methods for effecting annexation as he should prefer, Mr. Benton, however, having first been assured by the intimate friends of the Presi-dent, who was then in the last days of his term, that a commission for annex-ation should be sent forward with power negotiate.-Mr. Benton very likely him elf expecting to be one of the com-

Instead of that being done, Mr. Tyler, on the third day before his term expired. sent forward a messenger secretly with directions to proceed at once to Texas, manner the matter was taken out of the hands of the treaty-making power, and was disposed of finally under authority of the joint resolution without regard to the provision for further negotiation. Texas assented to annexation through a delegated convention, and the union was completed by Congressional action the

following winter.
Prof. Von Holst, in his life of Calhoun, has referred to this matter and has spoken of it as if it were something that was entirely outside the proper province of the legislative power of the two countries. It appears to him in the nature of an appeal by the President from the treaty-making power, which had already acted and refused to annex Texas, to the law-making power, the former being unable constitutionally to complete the negotiation except by a vote of two-thirds of the members of the Senate, while in the two houses, it might be carried into effect by a simple majority of each of the two houses; and thus, as he seems to supposs, the treaty, once properly rejected, could be taken into new hands and more easily accomplished.

The complaint however in this case, if any is to be made on the ground of propriety or of rightfulness, would seem rather to come from the law-making power of the country, than from the treaty-making power, for this was a case in which two distinct powers were exercised that were conferred by the Condition not conferred stitution not upon the President and Senate but upon Congress. Texas was could terms with the other states, and the power to admit new states to the Union was one of the enumerated powers ex-pressly given to Congress. Then under the circumstances the completing of the annexation was equivalent to a declaration of war, and the power to declars war was vested in Congress as explicitly as was the other. The authority of Congress in the case was at any rate unquestionable, and there

is no doubt, we suppose, that this authority might have been exercised at any Senate upon the treaty which the President had placed before it, and quite as well after that action had been taken. Indeed if we concede that the Constitution, in conferring these grants upon Congress, did not exclude the action of the treaty-making power in a case of this nature, it would still be apparent that there was much reason why the legislatures of the two governments should deal directly with each other, especially as treaties are likely to require Congressional action for their complete and final fulfilment and must often be supplemented by legislation which it is con-ceivable there may be difficulty in obtaintution, no one can claim that the action taken in this case is not so complete and final and absolute as it possibly could have been, had the annexation been otherwise accomplished.

This case is particularly referred to for the purpose of pointing out that it affords no precedent for the annex-ation to this country of another independent country under the treaty-making power. There was an attempt to effect the annexation under that power, but it failed because the Senate rejected the treaty that had been formed for the purpose.

In regard to the country itself, we

may repeat here what has already been said in respect to Louisiana and Florida. Its acquisition brought no acongruous element into the federal union. A state was brought in being footing with the other states. population was homogeneous with our own; its institutions were similar to those which prevailed in the other states of the Union. Nothing was done; nothing was promised; nothing was contemplated in the annexation that was not perfectly harmonious with our existing system. The treaty as formed looked to the acquisition of territory that already constituted an established state, and it was upon this basis that the negotiations completed by the action of the two legislatures proceed-The state, it be divided into other states, but there was nothing here that looked to anything but the final incorporation of states into the Union on precisely the same terms with those already constituting members of the Union. state annexed bordered upon states already admitted to the Union, and if it could have been acquired honorably and without taking upon ourselves a war with a country with which we had ourselves no quarrel, it would doubtess be agreed without dissent by our people that annexation ought to have sen assented to.

In the year 1867 our government under the exercise of the treaty-mak-ing power, acquired the country known is Alaska. This country bordered upon territory which upon plausible reasons we had claimed to own, but which in the settlement of our northwestern boundary with Great Britain, had been

assigned to that power. It was therefore not at the time of its acquisition strictly contiguous to any territory of the United States. It was nevertheless upon the continent; it was not very the continent in the continent by th have claimed to be the true rate of constitutional construction on the subject. Had it been annexed previous to the settlement of the Or. gon, boundary, no one could have raised any question of constitutional propriety.

A little while after the acquisition of Alaska, while General Grant was

of Alaska, while General Grant was President, he made special efforts to secure the annexation to the United States of the country known as Santo Domingo. This was part of an island in the Atlantic ocean some five hundred miles away from us, very rich in natural resources, and capable of sup-porting a large population, and the President had no difficulty in finding strong advocates for the measure among that class of people of whom we still have many among us, who seem to think any addition to the country brings to its population a boon proportionate to the estimated wealth of the country added; as if all that wealth country added; as if all that wealth was to be apportioned among those who were inhabitants of the country when it was received, leaving out of view entirely the fact that the wealth added is already appropriated by owners, and that with it, when taken in by the country, are necessarily taken by the country, are necessarily taken in wedons which may or may not be in burdens which may or may not be in excess of its value to the country re-ceiving it, so that whether it is to be an advantage or a disadvantage can only be determined when both sides of the account are carefully considered.
General Grant's anxiety to somex the country did not however spring altogether from the consideration of its natural wealth. It sprung rather

possible of an incongruous element that was already in their midst. When the government was formed, a foreign race, different in color from ourselves, and which we had assumed was so much inferior that the people might be held and treated as chattels and forced to do the work of beasts in bouse and field, was held in slavery among us. The existence of this race in that relation had been an element of discord from the first, and it had resulted finally in a great Civil War from which we had but recently emerged. We had taken two great steps toward relieving the country of the incongruity. We had given the slaves their freedom, and we had advanced them to the dignity of citizenship, but the difference in race, in social pecu-liarities and habits and in mental qualities was still prominent, and there was much repugnance among the people toward such assimilation of the two races as could ever be expected to make this difference cease to be the occasion of discord.

from a desire on his part to rid the existing states of the Union as much as

When Santo Domingo was offered to us by the people, President Grant looked upon the offer as presenting a most desirable opportunity for acquiring territory which would be volun-tarily colonized and occupied by our former slaves, and which in time would become a rich and valuable country under institutions managed by themselves to their own great benefit and the great relief of thos; states of the Union where they were now most abundant. He says in his Memoirs:

"The island is upon our shores; is very fertile, and is capable of supporting afficen utilitions of people. The product of the soil are so valuable that lebor in her fields would be so compensated as to enable those who wish to go there to quickly repay the cost of their passage. I took is that the colored people would go there in that the colored people would go there in great numbers so as to have independent states governed by their own race. They would still be states of the Union and under the protection of the general covernment, but the citizens

It is in this very statement of the President's view of the proposed an-nexation that one may see the most conclusive reason for declining to re-ceive the offered country. When brought face to face with the question whether it was ever contemplated that the Constitution of the United States should have capacity for expansion that might extend it over independent states of colored people located upon an island in the Atlantic occan, there was an instinctive feeling among the American people that protested against the thought. Its anticipated expansion was to embrace states whose citizens would be homogeneous with the people who had created it. The Union was to be of "United States of America." and if it could reach out into the ea for the bringing-in of a people so different from our own as were those then occupying San Domingo, or for the founding of states of colored races, it might, so far as the constitutional question was concerned, equally well be extended to cover colonies in Arabia or in Zululand which would eventually become states and send their representatives to Washington to assist in governing us. It might not be possible to annul a treaty to that effect once made, but it would be usurpation to make it. These reasons were perhaps not in

terms at the time assigned, for the objections in point of policy were so decided that it was scarcely necessary to consider any other; but they were nevertheless strongly felt and must have been conclusive, had no others existed.

Doctor-"Why, how is this, my dear sir? You sent me a letter stating you had been attacked by measles, and I find you suffering from rheumatism."
Patient.—"Well, you see, doctor

it is like this: There wasn't a soul in the house that knew how to spell rheumatism. Scene, a butcher's stand. Butcher.

-"Come, John, be lively now; break the bones in Mr. Williams' chops and put Mr. Smith's ribs in the basket for him." John (briskly)-"All right, sir; just as soon as I've sawed off Mrs.

A Chinaman of Elko, Nev., went home drunk, and his wife clubbed him lustily. A passerby remarked: "John your wife heap fight." "Yee," he replied, "she too muches sabee She live long side Melican woman tree month."

Murphy's log."-Selected.